

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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DIRK REGAN, etc., et al.	)	
	)	
	)	
Plaintiff,	)	
	)	2:01-CV-779-WBS-CMK
v.	)	
	)	ORDER RE: STATUS
WILLIAMS COMPANIES, INC., etc.,	)	
et al.	)	(PRETRIAL SCHEDULING)
	)	CONFERENCE
Defendants.	)	
_____	)	

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This action has been assigned to the undersigned judge.  
**Failure to comply with the requirements enumerated in this Order  
may result in sanctions.** Pursuant to the provisions of Federal  
Rule of Civil Procedure 16, IT IS ORDERED that:

1. A Status (Pretrial Scheduling) Conference is set for  
**June 27, 2011 at 2:00 p.m.** before the undersigned judge in  
Courtroom No. 5. At least twenty-one (21) calendar days before  
the scheduling conference is held, the parties shall confer and

1 attempt to agree upon a discovery plan, as required by Federal  
2 Rule of Civil Procedure 26(f).

3 2. Pursuant to Local Rule 16-240, the parties shall submit  
4 to the court a JOINT Status Report **fourteen (14) calendar days**  
5 prior to the hearing date, which shall contain:

6 (a) a brief summary of the claims;

7 (b) a statement as to the status of service upon all  
8 defendants and cross defendants;

9 (c) a statement as to the possible joinder of  
10 additional parties;

11 (d) any contemplated amendments to the pleadings;

12 (e) the statutory basis of jurisdiction and venue;

13 (f) a written report outlining the proposed discovery  
14 plan required by Federal Rule of Civil Procedure 26(f);

15 (g) a proposed cut-off date by which all discovery  
16 shall be concluded;

17 (h) a proposed date by which all motions shall be filed  
18 and heard;

19 (i) any proposed modifications of standard pretrial  
20 proceedings due to the special nature of the action;

21 (j) the estimated length of trial;

22 (k) a statement as to whether the case is related to  
23 any other case, including any matters in bankruptcy;

24 (l) any other matters discussed in Local Rule 16-240  
25 that may add to the just and expeditious disposition of this  
26 matter; and

27 (m) a statement by any nongovernmental corporate party  
28 identifying all of its parent and subsidiary corporations and

1 listing any publicly held company that owns 10% or more of the  
2 party's stock. If any nongovernmental corporate party has no  
3 parent or subsidiary corporations or no publicly held companies  
4 owning 10% or more of its stock, it shall so state in the Joint  
5 Status Report. Thereafter, if there is any change in the  
6 information, the party shall file and serve a supplemental  
7 statement within a reasonable time after such change occurs.

8 **Failure to comply with the requirements of this subpart will**  
9 **result in the Joint Status Report being stricken and sanctions**  
10 **being ordered against any nongovernmental corporate party that**  
11 **did not submit its corporate disclosures.**

12 The court has an obligation to recuse itself from any  
13 case in which the judge might have a "financial interest,"  
14 however small. 28 U.S.C. § 455(b)(4). The purpose of the  
15 corporate disclosure requirement in subpart (m) of this Order is  
16 to assist the court in carrying out this obligation, because  
17 corporate parties are in the best position to identify their  
18 parent and subsidiary corporations. Without this information,  
19 the court risks retaining a case in which it unknowingly has a  
20 financial interest. As a consequence, not only would the  
21 undersigned judge face public criticism, the public's confidence  
22 in an impartial judiciary would be eroded. Failure to assist the  
23 court in protecting these and the other interests advanced by §  
24 455(b)(4)--especially in the face of a clear and direct request  
25 from the court--amounts to sanctionable conduct.

26 The requirement that corporate disclosures be included  
27 in the parties' Joint Status Report does not negate a  
28 nongovernmental corporate party's obligation to file a disclosure

1 statement "with its first appearance, pleading, petition, motion,  
2 response, or other request addressed to the court" pursuant to  
3 Federal Rule of Civil Procedure 7.1.

4 3. Concurrently with the service of process, or as soon  
5 thereafter as possible, plaintiff shall serve upon each of the  
6 parties named in the complaint, and upon all parties subsequently  
7 joined, a copy of this Order, and shall file with the clerk a  
8 certificate reflecting such service.

9 4. In the event this action was originally filed in a state  
10 court and was thereafter removed to this court, the removing  
11 party or parties shall immediately following such removal, serve  
12 upon each of the other parties and upon all parties subsequently  
13 joined a copy of this Order, and shall file with the clerk a  
14 certificate reflecting such service.

15 5. All parties to the action shall appear by counsel (or in  
16 person if acting without counsel). A FAILURE TO APPEAR AT THE  
17 APPROPRIATE TIME WILL BE TREATED AS A FAILURE TO APPEAR AND MAY  
18 SUBJECT COUNSEL TO SANCTIONS.

19 6. In appropriate cases, and after receiving the parties'  
20 Joint Status Report, the court may issue a Status (Pretrial  
21 Scheduling) Order without requiring a status conference. Unless  
22 the parties have received such an order prior to the status  
23 conference, the parties are required to attend the status  
24 conference as scheduled.

25 DATED: April 21, 2011

26 WILLIAM B. SHUBB  
27 SENIOR UNITED STATES DISTRICT JUDGE

28 by: Karen Kirksey Smith  
Deputy Clerk